

State of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Aquatic Resources  
Honolulu, Hawaii 96813

February 23, 2007

Board of Land  
and Natural Resources  
Honolulu, Hawaii

THE DIVISION OF AQUATIC RESOURCES REQUESTS BOARD OF LAND AND  
NATURAL RESOURCES (BLNR) AUTHORIZATION/APPROVAL TO ISSUE ONE  
(1) NORTHWESTERN HAWAIIAN ISLANDS (NWHI) RESEARCH PERMIT TO  
C.O. KARL MANGELS, NATIONAL OCEANIC AND ATMOSPHERIC  
ADMINISTRATION (NOAA) SHIP OSCAR ELTON SETTE, FOR ACCESS TO  
STATE WATERS TO SUPPORT MARINE RESEARCH ACTIVITIES.

Submitted herewith for your authorization and approval is a request for issuance of a NWHI Research Permit to Karl Mangels, C.O., NOAA ship Oscar Elton Sette, pursuant to the *Hawaii Administrative Rules*, §13-60.5, the *Hawaii Revised Statutes*, § 187A-6, and all other applicable laws and regulations. The Research Permit, described below, will allow activity to occur in the NWHI State Marine Refuge (0-3 miles) waters surrounding Nihoa Island, Necker Island, French Frigate Shoals, Laysan Island, Maro Reef, Gardner Pinnacles, Lisianski Island, Neva Shoal, Pearl and Hermes Atoll, and Kure Atoll to provide a support platform for scientific activities covered under other permits. The activities covered under these permits will occur from March 8, 2007 through December 31, 2007.

INTENDED ACTIVITIES

The R/V Oscar Elton Sette will be used as a support platform and requests permission to enter State waters, anchor small craft, land, and transport organisms as specified under numerous separate permit applications. Ship details are attached.

The proposed activities are consistent with and support the purposes of the Refuge, primarily to support, promote, and coordinate appropriate scientific research and assessment, and long-term monitoring of the resources within the marine refuge.

REVIEW PROCESS:

The permit application was received by the Division of Aquatic Resources on February 1, 2007. It was sent out for review and comment to the following scientific entities: Division of Aquatic Resources staff (5), Division of Forestry and Wildlife, Northwest Hawaiian Islands Marine National Monument, NOAA Pacific Islands Regional Office (NOAA-PIRO), and the United States Fish and Wildlife Service. Native Hawaiians from

the Office of Hawaiian Affairs and Kaho‘olawe Island Reserve Commission were also consulted.

Comments received from the Scientific Community on the Research Permit are summarized as follows:

One reviewer noted that although there are some impacts associated with normal cruise operations, they are minimal considering the value of the scientific endeavors facilitated by the vessel cruises.

No comments received from the Native Hawaiian community.

RESPONSE:

DAR concurs.

FINAL STAFF RECOMMENDATIONS:

DAR staff is of the opinion that Applicant has properly demonstrated valid justifications for his application and should be allowed to enter the NWHI State waters and to conduct the activities therein as specified in the application with the following special instructions and conditions, which are in addition to the General Conditions imposed by the Application Guidelines:

1. Require Applicant to inform and consult with DAR regarding their cruise plan before each trip to the NWHI and submit a post-cruise report to after each trip during the year.
2. Direct that Applicant and associated staff shall be briefed on Native Hawaiian cultural traditions and practices at least once a year, and that Applicant shall consider providing additional access for Native Hawaiian cultural studies or practices as appropriate.
3. Direct that the hulls of the support vessel and all tender vessels must be certified and documented free of fouling organisms before each and every cruise to the NWHI. This procedure must be performed prior to each departure from the Main Hawaiian Islands. Inspection records must be immediately submitted to DAR upon request.
4. Allow swimming and snorkeling for authorized personnel and visitors to the NWHI.
5. Direct that all forms of fishing, no matter for subsistence, sustenance, commercial or recreational purposes, are prohibited in State waters.

RECOMMENDATION:

"That the Board authorize and approve, with stated conditions, a Research Permit to C.O. Karl Mangels, NOAA vessel Oscar Elton Sette.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dan Polhemus", written in a cursive style.

DAN POLHEMUS  
Administrator

APPROVED FOR SUBMITTAL

A handwritten signature in black ink, appearing to read "Peter T. Young", written in a cursive style.

PETER T. YOUNG  
Chairperson



Department of Land and Natural Resources

Northwestern Hawaiian Islands Permit Application Review



**Permit Type:** Management ☐ Recreation ☐ Research ☒  
Education ☐ Cultural ☐ Special Ocean Use ☐

**Working Title:** Permit for C.O. Karl Mangels, NOAA Ship Oscar Elton Sette, for access to NWHI State waters to support marine research activities, valid from March 8, 2007 to December 31, 2007.

**Project Applicant:** Karl Mangels, CO, NOAA Ship Oscar Elton Sette

**Project Location(s)** *(Both State Waters and Monument):* Entire Monument

**Project Dates and Duration:** March 8, 2007 through December 31, 2007

**Project Précis & Background** *(Summary of project and why this is proposed):*

The R/V Oscar Elton Sette will be used as a support platform and requests permission to enter State waters, anchor small craft, land, and transport organisms as specified under numerous separate permit applications.

**Are there other relevant permits that have/will be issued with regard to this project?** Yes ☒  
*(e.g. Monument /FWS permit; Marine Mammal Protect Act permit, IACUC)* No ☐

**What is the relevance to management and/or the improved understanding of NWHI & MHI?**

The NOAA Ship Oscar Elton Sette is a research platform used to support much of the scientific research in the Monument. As such, the cruise operations help fulfill the Monument purposes of preservation and management of monument resources.

**Could work be conducted outside the NWHI?:** Yes ☐ No ☒

**Explain:** \_\_\_\_\_

**Has Applicant been granted a permit from the State in the past?** Yes ☒ No ☐

**If so, please summarize past permits:**

DLNR.NWHI06SA001 was issued on March 30, 2006 to the previous ship commanding officer, and subsequently amended on September 29, 2006 to extend its validity through November 10, 2006 in order to accommodate another trip in late October. Applicant is in full compliance on all terms, including personnel updates, cruise log and report.



## Northwestern Hawaiian Islands Marine National Monument Permit Application

**NOTE:** *This Permit Application (and associated Instructions) are for activities to be conducted in the Northwestern Hawaiian Islands Marine National Monument, including Hawaiian Islands National Wildlife Refuge, the Midway Atoll National Wildlife Refuge, Battle of Midway National Memorial, Northwestern Hawaiian Islands State Marine Refuge, Kure Atoll Hawaii State Seabird Sanctuary, and the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve. The Co-Trustees are required to determine that issuing the requested permit is compatible with the findings of Presidential Proclamation 8031. Within this Application, please provide all information that you believe will assist the Co-Trustees in determining how your proposed activities are compatible with the conservation and management of the natural, historical and cultural resources of the NWHI Marine National Monument (Monument).*

### Summary Information

**Applicant name:**

Karl F. Mangels, CDR/NOAA Commanding Officer, NOAA Ship OSCAR ELTON SETTE

**Permit categories:**

- ☒ Research – Please fill out Sections A-D (as applicable) and Appendix A
- ☐ Conservation and Management - Please fill out Sections A-D (as applicable) and Appendix A
- ☐ Education - Please fill out Sections A-D (as applicable) and Appendix B
- ☐ Native Hawaiian Practices - Please fill out Sections A-D (as applicable) and Appendix C
- ☐ Recreation (Midway ONLY) - Please fill out Sections A-D (as applicable) and Appendix D
- ☐ Special Ocean Use - Please fill out Sections A-D (as applicable) and Appendix E

**Briefly describe permit activity:**

To provide at sea research platform support for NOAA research programs.

- ☒ This application is for a RENEWAL of an existing permitted project.
- ☐ This application is for a NEW project.

**When will the activity take place?**

From: March 8, 2007 To: November 27, 2007

**NOTE: INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED**

Please Send Permit Applications to:  
NWHI Marine National Monument Permit Coordinator  
6600 Kalaniana'ole Hwy. # 300  
Honolulu, HI 96825  
[nwhipermit@noaa.gov](mailto:nwhipermit@noaa.gov)  
PHONE: (808) 397-2660 FAX: (808) 397-2662

**NOTE: SUBMITTAL VIA ELECTRONIC MAIL IS PREFERRED BUT NOT REQUIRED. FOR ADDITIONAL SUBMITTAL INSTRUCTIONS, PLEASE SEE PG 7.**

## **Section A - Applicant Information**

### **1. Applicant**

Name (last, first, middle initial): Mangels, Karl F. CDR/NOAA

Title: Commanding Officer, NOAA Ship OSCAR ELTON SETTE

### **2. Mailing address (street/P.O. box, city, state, country, zip):**

NOAA Ship OSCAR ELTON SETTE  
#1 Sand Island Access Road  
Honolulu, HI USA 96819

Phone: 808-832-3255

Fax: 808-841-8821

Email: CO.Sette@noaa.gov

For students, major professor's name, telephone and email address: Not Applicable

### **3. Affiliation (institution/agency/organization directly related to the proposed project):**

U.S. Department of Commerce, National Oceanic & Atmospheric Administration, Office of Marine & Aviation Operations

### **4. Additional persons to be covered by permit:**

Officers and crew of NOAA Ship OSCAR ELTON SETTE, see Attachment A.

## **Section B: Project Information**

### **5a. Project location(s):**

- |  |                                     |   |
|--|-------------------------------------|---|
| <input checked="" type="checkbox"/> Nihoa Island                 | <input type="checkbox"/> Land-based | <input checked="" type="checkbox"/> Ocean-based |
| <input checked="" type="checkbox"/> Necker Island (Mokumanamana) | <input type="checkbox"/> Land-based | <input checked="" type="checkbox"/> Ocean-based |
| <input checked="" type="checkbox"/> French Frigate Shoals        | <input type="checkbox"/> Land-based | <input checked="" type="checkbox"/> Ocean-based |
| <input checked="" type="checkbox"/> Gardner Pinnacles            | <input type="checkbox"/> Land-based | <input checked="" type="checkbox"/> Ocean-based |
| <input checked="" type="checkbox"/> Maro Reef                    |                                     |   |
| <input checked="" type="checkbox"/> Laysan Island                | <input type="checkbox"/> Land-based | <input checked="" type="checkbox"/> Ocean-based |
| <input checked="" type="checkbox"/> Lisianski Island, Neva Shoal | <input type="checkbox"/> Land-based | <input checked="" type="checkbox"/> Ocean-based |
| <input checked="" type="checkbox"/> Pearl and Hermes Atoll       | <input type="checkbox"/> Land-based | <input checked="" type="checkbox"/> Ocean-based |
| <input checked="" type="checkbox"/> Midway Atoll                 | <input type="checkbox"/> Land-based | <input checked="" type="checkbox"/> Ocean-based |
| <input checked="" type="checkbox"/> Kure Atoll                   | <input type="checkbox"/> Land-based | <input checked="" type="checkbox"/> Ocean-based |
| <input type="checkbox"/> Other                                   |                                     |   |

NOTE: Please note there is a fee schedule for people visiting Midway Atoll National Wildlife Refuge via vessel and aircraft.

### **Location Description:**

General operations throughout the Northwest Hawaiian Islands National Monument.

### **5b. Check all applicable regulated activities proposed to be conducted in the Monument:**

- ☐ Removing, moving, taking, harvesting, possessing, injuring, disturbing, or damaging any living or nonliving monument resource
- ☐ Drilling into, dredging, or otherwise altering the submerged lands other than by anchoring a vessel; or constructing, placing, or abandoning any structure, material, or other matter on the submerged lands
- ☒ Anchoring a vessel
- ☐ Deserting a vessel aground, at anchor, or adrift
- ☒ Discharging or depositing any material or matter into the monument
- ☐ Touching coral, living or dead
- ☐ Possessing fishing gear except when stowed and not available for immediate use during passage without interruption through the monument
- ☐ Attracting any living monument resource
- ☒ Sustenance fishing (Federal waters only, outside of Special Preservation Areas, Ecological Reserves and Special Management Areas)
- ☐ Subsistence fishing (State waters only)
- ☒ Swimming, snorkeling, or closed or open circuit SCUBA diving within any Special Preservation Area or Midway Atoll Special Management Area



**6. Purpose/Need/Scope *State purpose of proposed activities:***

To provide at sea research platform support for NOAA research programs.

**7. As explained further in the instructions, please provide any information that you believe will assist the Co-Trustees in determining how your proposed activities are compatible with the conservation and management of the natural, historical and cultural resources of the Monument:**

The vessel's activities support Federal Government research programs and associated universities, non-government organizations and the State of Hawaii.

**8. Procedures:**

The ship will transit to the Monument from Pearl Harbor, operate within the Monument for various research tasks and return to Pearl Harbor.

**Section C: Logistics**

**9. Other permits (list and attach documentation of all other related Federal or State permits):**

Not Applicable.

**9a. For each of the permits listed, please identify any permit violations or any permit that was suspended, amended, modified or revoked for cause. Please explain the circumstances surrounding the violation or permit suspension, amendment, modification or revocation.**

Not Applicable.

**10. Funding sources (Please attach copies of your budget, specific to proposed activities under this permit and include funding sources. Please see instructions for more information):**

All funding is secured on an annual basis through the United States Federal Government. No attachments are included.

**11. Time frame:**

Activity start: March 8, 2007

Activity completion: November 27, 2007

**Dates actively inside the Monument:**

From: March 8, 2007

To: November 27, 2007

**Please describe any limiting factors in declaring specific dates of the proposed activity at the time of application:**

Research projects determined by cruise instructions received from the NOAA Pacific Islands Fisheries Science Center. At this time only one set of instructions has been received for the field season.

**Personnel schedule in the Monument:**

To be provided on a cruise by cruise basis.

**12. Please indicate (with attached documentation) what insurance policies, bonding coverage, and/or financial resources are in place to pay for or reimburse the Monument trustees for the necessary search and rescue, evacuation, and/or removal of any or all persons covered by the permit from the Monument:**

The federal government is self-insured.

**13. Please check the appropriate box to indicate how personnel will enter the Monument:**

- ☒ Vessel  
☐ Aircraft

Provide Vessel and Aircraft information:

NOAA Ship OSCAR ELTON SETTE

**14. What certifications/inspections do you have scheduled for your vessel? Please fill in scheduled date (attach documentation):**

- ☒ Rodent free: scheduled for March 1, 2007, Public Health Service/Center for Disease Control  
☒ Tender vessel: scheduled for February 26, 2007, Bishop Museum, Scott Godwin  
☒ Ballast water: scheduled for February 26, 2007, Bishop Museum, Scott Godwin  
☒ Gear/equipment: scheduled for February 26, 2007, Bishop Museum, Scott Godwin  
☒ Hull inspection: scheduled for February 26, 2007, Bishop Museum, Scott Godwin

**15. Vessel information (NOTE: if you are traveling aboard a National Oceanic and Atmospheric Administration vessel, skip this question):**

Vessel name: OSCAR ELTON SETTE

Vessel owner: National Oceanic & Atmospheric Administration

Captain's name: CDR Karl F. Mangels, NOAA

IMO#: 8835097

Vessel ID#: CG014936

Flag: United States

Vessel type: Motor vessel

Call sign: WTEE

Embarkation port: Honolulu, Hawaii

Last port vessel will have been at prior to this embarkation: Honolulu, Hawaii

Length: 68.3 meters

Gross tonnage: 2014

Total ballast water capacity: 511 m<sup>3</sup>

Total number of ballast water tanks on ship: 10

Total fuel capacity: 617 m<sup>3</sup>

Total number of fuel tanks on ship: 14

Marine Sanitation Device: Omnipure MSD

Type : II

How will you comply with the 'No Discharge' regulations stipulated in Presidential Proclamation 8031? Describe in detail. If applicable, please attach schematics of the vessel's discharge and treatment systems: As described in the Proclamation, discharges incidental to vessel use such as deck wash, approved sanitation device effluent, cooling water, and engine exhaust, will be the only discharges from the vessel during operations within the Monument. Additionally, approved sanitation device effluent will not be discharged within any Special Preservation Area, Ecological reserve or Special Management Area. The ship is equipped with a 4800 gallon holding tank.

Other fuel/hazardous materials to be carried on board and amounts:

Gasoline, lubrication oil, hydraulic oil, 95% ethanol and formalin will be carried on board the vessel. Amounts will be determined by individual project requirements.

Please provide proof of a National Oceanic and Atmospheric Administration (NOAA) Office of Law Enforcement-approved Vessel Monitoring System (VMS). Please provide the name and contact information of the contractor responsible for installing the VMS system. Please also describe unit name and type: Sailor TT 3606 XP Thrane and Thrane

VMS Email: [436900545@c.xantic.net](mailto:436900545@c.xantic.net)

Inmarsat ID#: 436900545

#### **16. Tender information:**

On what workboats (tenders) will personnel, gear and materials be transported within the Monument? Please list the number of tenders/skiffs aboard and specific types of motors:

NOAA Ship OSCAR ELTON SETTE carries three launches at all times.

18' Rescue Boat – AMBAR Marine with twin 60 hp Mercury Mariner outboard engines

16' Achilles – inflatable boat with a single 50 hp Yamaha outboard engine

15' SAFEBoat – RHIB with a single 100 hp Yamaha outboard engine

**Section D: Additional Information for Land Based Operations**

**17. Proposed movement of personnel, gear, materials, and, if applicable, samples:**

None.

**18. Room and board requirements on island:**

None.

**19. Work space needs:**

None.

With knowledge of the penalties for false or incomplete statements, as provided by 18 U.S.C. 1001, and for perjury, as provided by 18 U.S.C. 1621, I hereby certify to the best of my abilities under penalty of perjury of that the information I have provided on this application form is true and correct.

Earl F. Mangels 2/09/07  
Signature Date

**PLEASE SEND ONE SIGNED APPLICATION VIA MAIL TO THE MONUMENT OFFICE BELOW:**

NWHI Marine National Monument Permit Coordinator  
6600 Kalaniana'ole Hwy. # 300  
Honolulu, HI 96825  
FAX: (808) 397-2662

**DID YOU INCLUDE THESE?**

- ☐ Applicant CV/Resume/Biography
- ☐ Electronic and Hard Copy of Application with Signature
- ☐ Map(s) or GPS point(s) of Project Location(s), if applicable
- ☐ Funding Proposal(s)
- ☐ Funding and Award Documentation, if already received
- ☐ Documentation of Insurance, if already received
- ☐ Documentation of Inspections
- ☐ Documentation of all required Federal and State Permits or applications for permits
- ☐ Statement of information you wish to be kept confidential

## **Attachment 1**

### **LIST OF PERSONNEL COVERED UNDER PERMIT**

NOAA Ship OSCAR ELTON SETTE, R-335  
Ship's Complement

1. Commanding Officer	CDR Karl F. Mangels
2. Executive Officer	LCDR James A. Bunn
3. Operations Officer	LT Frank K. Dreflak
4. Asst. Operations Officer	LT Nicole D. Colasacco
5. Navigation Officer	LTJG Jason R. Saxe
6. Safety Officer	ENS Sarah A.T. Harris
7. Junior Officer	ENS Julie L. Earp
8. Medical Officer	LTJG Chloe M. Bailey
9. Chief Marine Engineer	Harry L. Cane
10. First Assistant Engineer	Nathan D. Elrod
11. Third Assistant Engineer	Ashley E. Lallier
12. Engine Utility Man	James C. McDade
13. General Vessel Assistant (Engine)	Garry E. Guice, Jr.
14. Chief Boatswain	Kenneth H. Motoyama
15. Lead Fisherman	Jonathan H. Saunders
16. Skilled Fisherman	Douglas A. Roberts
17. Skilled Fisherman	Bruce C. Mokiao
18. Fisherman	Lester E. Scott, Jr.
19. General Vessel Assistant (Deck)	Prescott H. Brownell, III
20. Chief Steward	Clementine A. Lutali
21. Second Cook	Clifton O. Boyd
22. General Vessel Assistant (Steward)	Michael A. Kruitwagen
23. Chief Electronic Technician	John E. Skinner
24. Chief Electronic Technician	Roy F. Toliver
25. Senior Survey Technician	Elaine S. Stuart